

**STATE OF NEVADA
BOARD OF EXAMINERS
FOR LONG TERM CARE ADMINISTRATORS**

**MINUTES OF QUARTERLY MEETING
AUGUST 20, 2003
DEPARTMENT OF WILDLIFE
CONFERENCE ROOM 1100 VALLEY ROAD
RENO, NV 89509**

1. THE MEETING WAS CALLED TO ORDER BY THE CHAIRMAN, MARGARET MCCONNELL AT 9:30 A.M.
2. TERRY PEDROTTI, EXECUTIVE SECRETARY, CALLED THE ROLL. A QUORUM WAS PRESENT:

BOARD MEMBERS:

MARGARET MCCONNELL, CHAIRPERSON
MARY ELLEN WILKINSON, VICE CHAIR
DONNA J. ROSE, SECRETARY/TREASURER
TERRY CLODT
ARNOLD J. GREENHOUSE, M.D.
DOUGLAS SINCLAIR
CAROL SALA

STAFF:

CHARLOTTE M. BIBLE, CHIEF DEPUTY ATTORNEY GENERAL
TERRY PEDROTTI, EXECUTIVE SECRETARY

GUESTS:

CHARLES PERRY, EXECUTIVE DIRECTOR NHCA
PATTI SWAGER, NGEC

MARGARET MCCONNELL ANNOUNCED THAT AGENDA ITEMS WOULD BE TAKEN OUT OF ORDER TO ACCOMPLISH BUSINESS IN A MOST EFFICIENT MANNER. MS. MCCONNELL ASKED THE ATTENDEES IF THERE WAS AN ITEM THAT SHOULD BE TAKEN OUT OF ORDER AT THAT TIME.

MS. MCCONNELL ACKNOWLEDGED THE PRESENCE OF CHARLES PERRY AND PATTI SWAGER AND INVITED THEM TO PARTICIPATE IN THE MEETING IF THEY SO DESIRED.

3. DONNA J. ROSE, SECRETARY/TREASURER WAS ASKED TO MAKE HER PRESENTATION OF REPORTS:

A. MINUTES OF BOARD MEETING, MAY 21, 2003:

MS. ROSE EXPLAINED THAT THE MINUTES HAD BEEN DISTRIBUTED TO THE BOARD MEMBERS EARLIER AND ASKED IF THERE WERE ANY ADDITIONS, DELETIONS OR OMISSIONS. THERE WERE NONE AND A MOTION WAS REQUESTED. DOUGLAS SINCLAIR MOVED THAT THE MINUTES BE ACCEPTED AS PRESENTED, AND CAROL SALA SECONDED THE MOTION. THERE WAS NO DISCUSSION AND THE MOTION WAS APPROVED UNANIMOUSLY.

B. TREASURER'S REPORTS:

(1) NET WORTH REPORT;

THE NET WORTH REPORT FOR FISCAL 2002 – 2003 REFLECTS THE BOARD IS IN A HEALTHY FINANCIAL CONDITION.

(2) FOURTH QUARTER REPORT:

THE FOURTH QUARTER REPORT, SHOWED A LOSS FOR THE FISCAL YEAR OF APPROXIMATELY \$20,000.00, WHICH WAS APPROXIMATELY \$5,000.00 LESS THAN ANTICIPATED IN THE PREVIOUS FISCAL YEAR'S PROJECTIONS.

MS. ROSE REQUESTED A MOTION. MARY ELLEN WILKINSON MOVED THAT THE FINANCIAL REPORTS BE ACCEPTED, AND CAROL SALA SECONDED THE MOTION. THERE WERE NO OBJECTIONS, AND THE MOTION WAS CARRIED UNANIMOUSLY.

5.** ADMINISTRATOR LICENSES ISSUED.

A. NURSING FACILITY ADMINISTRATORS:

(1) COFFEE, CHARLES E.

MARGARET MCCONNELL ASKED IF ALL CONDITIONS WERE MET BY THE APPLICANT. DONNA ROSE INDICATED THAT THEY HAD. MS. MCCONNELL REQUESTED A MOTION. TERRY CLODT MOVED TO LICENSE THE APPLICANT. DOUGLAS SINCLAIR SECONDED THE MOTION. THERE WERE NO COMMENTS, AND THE MOTION WAS CARRIED.

B. RESIDENTIAL FACILITY ADMINISTRATORS:

- (1) ATKINS, GARY G.
- (2) BRAVO, PURINE
- (3) DAELTO, CHERRY
- (4) ROSENBERG, JASON
- (5) OLIVER, WENDY F., M.D.
- (6) SINGSON, MARIBEL P.
- (7) SMITH, CRESENCIA

DOUGLAS SINCLAIR STATED THAT ALL CONDITIONS HAD BEEN MET BY THE APPLICANTS, AND MS. MCCONNELL REQUESTED A MOTION. DOUGLAS SINCLAIR MADE THE MOTION TO LICENSE ALL OF THE APPLICANTS. TERRY CLODT SECONDED THE MOTION, AND THE MOTION WAS CARRIED UNANIMOUSLY.

C. INACTIVE REQUESTS:

- (1) ALAVAR, ALICE, RFA
- (2) DAVIDSON, LISA H., RFA
- (3) GUILLERMO, RHODA, RFA

TERRY PEDROTTI STATED THAT ALL CONDITIONS HAD BEEN MET. MS. MCCONNELL REQUESTED A MOTION.

DOUGLAS SINCLAIR MOVED TO ACCEPT THE INACTIVE REQUESTS OF THE LICENSEES LISTED. TERRY CLODT SECONDED THE MOTION, AND IT WAS CARRIED.

4.** ADMINISTRATIVE REPORTS – TERRY PEDROTTI

A. LICENSEE ACTIVITY REPORT:

TERRY PEDROTTI STATED THAT THE LICENSEE ACTIVITY REFLECTS THAT AS A STATE, NEVADA IS MAINTAINING ITS ACTIVITY IN BOTH NURSING AND RESIDENTIAL FACILITY ADMINISTRATORS.

A. BUDGET PROJECTIONS FOR FISCAL 2003 – 2004:

MS. PEDROTTI PRESENTED THE BUDGET PROJECTIONS AS OPPOSED TO ACTUAL INCOME AND EXPENSES OF THE PREVIOUS FISCAL YEAR. THE PROJECTIONS FOR THE COMING YEAR ARE SOMEWHAT CONSERVATIVE, BUT, HOPEFULLY, DUE TO THE BIENNIAL FLUCTUATIONS IN RENEWALS AND OTHER RELATED INCOME, WE SHOULD NOT SHOW A LOSS.

MS. MCCONNELL REQUESTED A MOTION. DOUGLAS SINCLAIR MOVED THAT THE BUDGET PROJECTIONS BE ACCEPTED AS PRESENTED. MARY ELLEN WILKINSON SECONDED THE MOTION, AND IT WAS CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS:

A, LICENSE APPLICATION CHANGE IN APPLICATION QUESTION REGARDING ARRESTS AND CONVICTIONS – CHARLOTTE BIBLE/MARGARET MCCONNELL.

MARGARET MCCONNELL STATED THAT SINCE THERE HAVE BEEN NO APPLICATIONS OR LICENSES IN QUESTION DURING THE PAST TWO MEETINGS, IT APPEARS THAT THE CHANGES SUGGESTED PREVIOUSLY BY CHARLOTTE BIBLE AND TERRY PEDROTTI, HAVE SOLVED THE PROBLEM FOR THE PRESENT, AND NO ACTION SHOULD BE TAKEN AT THIS TIME. A MODEL APPLICATION FROM NAB WAS PRESENTED FOR REVIEW. THE BOARD MEMBERS WERE ASKED TO REVIEW THE MODEL APPLICATION AND IF ANY CHANGES OR ADDITIONS TO THE BOARD'S APPLICATION ARE DESIRED, THEY SHOULD BE BROUGHT BACK TO THE NEXT BOARD MEETING FOR DISCUSSION AND POSSIBLE ACTION.

DUE TO AN INQUIRY FOR INFORMATION FROM A LICENSEE'S FILE AT THE BOARD OFFICE, TERRY PEDROTTI ASKED HOW MUCH OF THE INFORMATION IS CONSIDERED "PUBLIC". MS. BIBLE RESPONDED THAT FBI AND NHP INFORMATION IS "PRIVATE" AND PERSONAL INFORMATION, SUCH AS BIRTHDAYS AND SOCIAL SECURITY NUMBERS ARE "PRIVATE".

B. PROCEDURES REGARDING REVIEW OF CEU PRESENTATIONS AND CREDENTIALS OF FACULTY – ARNOLD GREENHOUSE:

ARNOLD GREENHOUSE STATED THAT THE CEU PROCEDURE HAD BEEN REVIEWED, REWRITTEN AND FINALLY COMPLETED AS PRESENTED. A DISCUSSION FOLLOWED IN WHICH PATTI SWAGER OF NGEAC EXPLAINED SOME OF THE CHANGES SHE HAD RECOMMENDED, AND DR. GREENHOUSE HAD INCORPORATED THOSE CHANGES.

BECAUSE A LATE FEE WAS REFERRED TO IN CHAPTER 8., CHARLOTTE BIBLE COUNSELED THAT IF A FEE IS STIPULATED FOR FUTURE PRESENTATIONS, IT MIGHT BE NECESSARY TO GO TO PUBLIC HEARINGS TO INCORPORATE THAT INTO THE ADOPTED RULES AND REGULATIONS. MS. MCCONNELL SUGGESTED THAT THE ISSUE OF FEES SHOULD BE PLACED ON THE AGENDA OF THE NEXT MEETING FOR EXPLORATION AND DISCUSSION AND FUTURE ACTION BY THE BOARD.

MS. BIBLE RECOMMENDED THAT THE WORDING IN CHAPTER 8 OF THE PROPOSED PROCEDURE, IN WHICH A LATE FEE IS REQUESTED, BE DELETED. A DISCUSSION FOLLOWED IN WHICH SEVERAL SUGGESTIONS WERE MADE. MS. BIBLE SUGGESTED THE FOLLOWING VERBIAGE BE USED AFTER DELETING THE UNACCEPTABLE SENTENCE: "A LATE APPLICATION MAY NOT RECEIVE APPROVAL PRIOR TO THE PRESENTATION. ANY RETURNED CHECK WILL RESULT IN A RETURNED CHECK FEE."

A MOTION WAS REQUESTED. MARY ELLEN WILKINSON MOVED THAT THE BOARD ACCEPT THE PRESENTED PROCEDURE, WITH THE SUBMITTED CHANGES, AS A PROCESS GUIDELINE FOR THE

ACCEPTANCE AND APPROVAL OF TRAINING PROGRAMS PRESENTED TO THE BOARD. THE MOTION WAS SECONDED BY TERRY CLODT, AND THE MOTION WAS CARRIED.

7.** NEW BUSINESS

A. LIST OF APPROVED FACILITIES IN NEVADA THAT PROVIDE AIT TRAINING AND PRECEPTOR TRAINING – DONNA ROSE, MARY ELLEN WILKINSON, CHARLES PERRY.

DONNA ROSE EXPLAINED THAT SHE DID NOT PROVIDE THE REQUIRED LIST, BECAUSE AS SHE BEGAN THE RESEARCH, SEVERAL QUESTIONS AROSE THAT REQUIRE ANSWERS. IT APPEARS THAT EACH OF THE DIFFERENT ORGANIZATIONS HAS AN ESTABLISHED PROGRAM, SOMETIMES EXCEEDING 1,000 HOURS.

THE BOARD'S PRESENT REGULATIONS DO NOT SPECIFY ANY PROGRAM OTHER THAN IT MUST BE APPROVED BY THE BOARD.

SEVERAL SUGGESTIONS AND OPTIONS WERE DISCUSSED, BUT NOTHING DEFINITIVE WAS DECIDED UPON AT THIS TIME.

IN THE MEANTIME, SINCE THERE IS NOTHING SPECIFIC, CHARLOTTE BIBLE SUGGESTED THAT IF THE PROGRAM IS NAB APPROVED, WE CAN CONTINUE TO USE OUR PRESENT SYSTEM. BUT WE WILL NEED TO ADD THIS ISSUE TO THE AGENDA OF THE NEXT MEETING TO BEGIN THE PROCESS OF ESTABLISHING A STANDARD FOR ALL FUTURE AIT APPLICANTS AND TO CHANGE THE RULES AND REGULATIONS TO REFLECT THE NEW REQUIREMENTS.

CHARLES PERRY SUGGESTED THAT DONNA ROSE PUT SOME RECOMMENDATIONS TOGETHER FOR THE NEXT MEETING FOR MONITORING THE PROGRAMS. DONNA ROSE AND CHARLES PERRY WILL BE GATHERING INFORMATION AND DATA. TO BRING BEFORE THE BOARD.

CHARLOTTE BIBLE STATED THAT ANY DEFINITIVE CHANGES WOULD NEED TO GO TO HEARING. PRESENTLY, WE CAN USE THE PRESENT VERBIAGE AS A GUIDELINE, BUT NOT AS AN ABSOLUTE CRITERIA.

B. NAB BROCHURE "OPPORTUNITIES IN LONG TERM CARE MANAGEMENT – MARGARET MCCONNELL.

MARGARET MCCONNELL ADVISED THE BOARD THAT NAB IS ATTEMPTING TO RECRUIT FUTURE LONG TERM CARE ADMINISTRATORS INTO THE INDUSTRY BY DISTRIBUTING THE BROCHURE TO EDUCATIONAL INSTITUTIONS, AS WELL AS FUTURE PUBLICATIONS BEING PREPARED AT THIS TIME. THE BOARD OFFICE HAS PURCHASED APPROXIMATELY 450 BROCHURES FOR DISTRIBUTION, AND MS. MCCONNELL URGED THE ATTENDEES TO HELP IN THE EFFORT.

8.** DEPUTY ATTORNEY GENERAL'S COMMENTS

CHARLOTTE BIBLE EXPLAINED THAT THERE HAS BEEN A CHANGE IN AB 155 IN THE DESCRIPTION OF A FELON. IT APPEARS THAT THIS HAS HAD NO EFFECT ON THE REGULATIONS OF THIS BOARD.

9. CORRESPONDENCE

11. PUBLIC COMMENTS

THERE WERE NO PUBLIC COMMENTS.

12.** DATE/TIME/LOCATION – NEXT QUARTERLY MEETING

MARGARET MCCONNELL ASKED THAT THE BOARD MEMBERS CHECK THEIR CALENDARS TO DETERMINE A CONVENIENT DATE FOR THE NEXT MEETING. MEMBERS AGREED THAT NOVEMBER 19TH IS A

CONVENIENT DATE. THE MEETING WILL BEGIN AT 8:30 AM, AND TERRY PEDROTTI WILL ATTEMPT TO SET THE MEETING AT THE AARP BUILDING IN LAS VEGAS BECAUSE OF ITS PROXIMITY TO THE AIRPORT.

THE MEETING WAS RECESSED AT 11:23 A.M.

THE MEETING WAS RECONVENED AT 12:30 PM,

10.** HEARING IN THE MATTER OF THE COMPLAINT AGAINST LYNN CHRISTENSEN, NFA LICENSEE NO. 307, CASE B-35822.

MARY ELLEN WILKINSON, VICE CHAIRPERSON, CALLED THE HEARING TO ORDER AT APPROXIMATELY 1:00 PM AND TOOK APPEARANCES.

MS. WILKINSON ASKED FOR ANY PRELIMINARY MATTERS.

CHARLOTTE BIBLE, CHIEF DEPUTY ATTORNEY GENERAL, ADVISED THAT COUNT 2. OF THE COMPLAINT WAS DISMISSED.

MS. WILKINSON CALLED FOR OPENING STATEMENTS.

MS. BIBLE PRESENTED HER OPENING STATEMENT. JOHN J. RIVAS PRESENTED HIS OPENING STATE.

GILDA JOHNSTONE, CHIEF OF ELDER RIGHTS, DAS, WAS CALLED AS THE FIRST WITNESS. JOHN RIVAS WAS ALLOWED CROSS-EXAMINATION, BUT HE DID NOT.

NEXT WITNESS, JOSEPHINE WASHINGTON, HEALTH SURVEYOR, BLC, WAS SWORN. JOHN RIVAS WAS ALLOWED TO CROSS-EXAMINE THE WITNESS. CHARLOTTE BIBLE WAS ALLOWED TO REDIRECT.

NEXT WITNESS, CATHY JOHNSON, HEALTH SURVEYOR, BLC, WAS SWORN. CHARLOTTE BIBLE QUESTIONED HER AND JOHN RIVAS CROSS-EXAMINED, AND CHARLOTTE BIBLE WAS ALLOWED TO REDIRECT.

NEXT WITNESS, DIANE ALLEN, HEALTH SURVEYOR, BLC, AFTER BEING SWORN, WAS EXAMINED AND CROSS-EXAMINED AND REDIRECT.

AN AFFIDAVIT WAS ADMITTED INTO EVIDENCE AND THE STATE CONCLUDED ITS CASE.

JOHN RIVAS CALLED LYNN CHRISTENSEN, NFA LICENSEE, AS HIS FIRST WITNESS. SHE WAS EXAMINED AND CROSS-EXAMINED AND REDIRECT.

THE NEXT WITNESS, NADINE GATHERUM, DIRECTOR OF NURSES, HIGHLAND MANOR OF MESQUITE, WAS SWORN, EXAMINED AND CROSS-EXAMINED.

THE NEXT WITNESS, MYKE CLARK, LPN, WAS SWORN, EXAMINED AND CROSS-EXAMINED.

THE NEXT WITNESS, KEVIN KIRSCHENMAN, MARKETING DIRECTOR, HIGHLAND MANOR OF MESQUITE, WAS SWORN, EXAMINED AND CROSS-EXAMINED.

A 10-MINUTE BREAK WAS CALLED.

CHARLOTTE M. BIBLE, ESQ., PRESENTED HER CLOSING STATEMENT.

JOHN J. RIVAS, ESQ., PRESENTED HIS CLOSING STATEMENT.

THE BOARD TOOK A RECESS, RECONVENED, AND DISCUSSED THE COUNTS IN THE COMPLAINT. THE BOARD CONSIDERED EACH COUNT INDIVIDUALLY AND VOTED FOR GUILTY OR NOT GUILTY AND STATED THE REASONS THEREFORE:

COUNT 1 – THE BOARD, BY VOTE OF 5-0, FOUND LYNN CHRISTENSEN GUILTY OF VIOLATION;
COUNT 3 – THE BOARD, BY VOTE OF 3-2 , FOUND MS. CHRISTENSEN NOT GUILTY;

COUNT 4 – THE BOARD, BY VOTE OF 5-0, FOUND MS. CHRISTENSEN GUILTY.

DOUGLAS SINCLAIR MOVED REGARDING THE PENALTY ON THE VIOLATIONS, BUT THE MOTION FAILED FOR LACK OF A SECOND.

TERRY CLODT MADE A MOTION TO PUT MS. CHRISTENSEN ON PROBATION FOR 2 YEARS, ATTEND 16 HOURS OF ELDERLY ABUSE TRAINING AND PAY THE COSTS OF THE INVESTIGATION AND PROCEEDINGS AS ALLOWED BY STATUTE. THE MOTION WAS SECONDED AND APPROVED UNANIMOUSLY.

THE MEETING WAS ADJOURNED AT 8:15 PM.

RESPECTFULLY SUBMITTED:

TERRY PEDROTTI, EXECUTIVE SECRETARY

DONNA J. ROSE, SECRETARY/TREASURER